

## Message Text

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PAGE 01 USUN N 03115 052027Z

67

ACTION DLOS-06

INFO OCT-01 IO-13 ISO-00 ACDA-07 AGR-05 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DODE-00 DOTE-00

EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00 H-02 INR-07

INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OES-06

OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 USIA-06 SAL-01

FEA-01 AF-08 ARA-06 EA-07 EUR-12 NEA-10 /158 W

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FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 8511

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FROM US DEL LOS

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: INFORMAL MEETING OF COMMITTEE II - PROCE-  
DURES - 3-4 AUGUST

SUMMARY. INFORMAL MEETINGS OF COMMITTEE II CONSIDERED AND  
GENERALLY DECIDED UPON PROCEDURES TO GOVERN WORK DURING FIRST  
THREE WEEKS OF SESSION (UNTIL AUGUST 23 OR 24), BUT NOT  
BEFORE, SOMETIMES BITTER EXCHANGES CONCERNING LAND-  
LOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES AND STRONG  
INTERVENTION BY U.S. STRESSING CRITICAL ISSUE FACING COMMITTEE  
WAS LEGAL STATUS OF ECONOMIC ZONE AND PROCEDURES MUST REFLECT  
THAT POLITICAL REALITY. END SUMMARY.

1. AFTER TWO DAYS OF DISCUSSION ON CHAIRMAN'S PROPOSALS  
FOR PROCEDURES TO GOVERN FIRST THREE WEEKS OF SESSION THE  
FOLLOWING PROPOSALS WERE GENERALLY AGREED UPON: A) THE COM-  
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PAGE 02 USUN N 03115 052027Z

MITTEE WOULD NOT ATTEMPT TO DECIDE WHICH ARE THE KEY ISSUES

BUT DECIDED WHICH ISSUES REQUIRED PRIORITY CONSIDERATION IN LIGHT OF THE INTEREST SHOWN BY THE GREATEST NUMBER OF NATIONS.

B) THE ISSUES FOR PRIORITY CONSIDERATION ARE NOT AN EXHAUSTIVE LIST OF ISSUES TO BE CONSIDERED BY THE COMMITTEE.

OTHER ISSUES WILL BE CONSIDERED IN DUE TIME.

C) CHAIRMAN'S LIST OF ITEMS WERE GENERALLY ACCEPTABLE ALTHOUGH SOME DELEGATES FELT WORDING WAS TOO NARROW OR PREJUDGED ISSUE (E.G. ITEM (D)(3)).

D) ISSUES OF PRIORITY CONSIDERATION. 1) DEFINITION AND LEGAL STATUS OF EXCLUSIVE ECONOMIC ZONE (EEZ). RIGHTS AND DUTIES OF COASTAL STATES AND OTHER STATES IN EEZ. 2) RIGHT OF ACCESS TO AND FROM SEA AND FREEDOM OF TRANSIT. 3) REVENUE SHARING IN RESPECT OF THE CONTINENTAL SHELF BEYOND 200 MILES. 4) DEFINITION OF THE OUTER LIMIT OF THE CONTINENTAL MARGIN.

E) THREE NEGOTIATING GROUPS WOULD BE ESTABLISHED TO CONSIDER ITEM 1, ITEM 2, AND ITEMS 3 AND 4 RESPECTIVELY.

F) THE GROUPS WOULD BE OPEN TO PARTICIPATION BY ALL BUT THOSE WHO VOLUNTEERED WOULD TAKE ON MAIN BURDEN OF NEGOTIATIONS. (US VOLUNTEERED FOR ALL GROUPS.)

G) THE GROUPS WILL MEET ON A ROTATING BASIS.

H) CHAIRMAN AGUILAR WILL CHAIR ALL GROUPS.

2. CHAIRMAN WAS ADAMANT IN REFUSING TO REFER SPECIFICALLY IN LIST TO GEOGRAPHICALLY DISADVANTAGED STATES STATING THAT THEY WERE INCLUDED IN "OTHER STATES" IN ITEM ONE. THIS STANCE GRADUALLY BUT DECIDEDLY EVOLVED INTO A STRONG COUNTER BY AUSTRIA (CHAIRMAN OF LL/GDS GROUP) AND TO A LESSER EXTENT BY CERTAIN OTHER GDS AND A BITTER LENGTHY DENOUNCEMENT BY PERU OF THE GDS. AUSTRIA'S ASTONISHMENT AT OMISSION OF REFERENCE TO GDS AS THE LL/GDS GROUP HAD 51 MEMBERS WAS MET BY PERU'S STATEMENT THAT COASTAL STATES HAD THE RIGHTS AND NOT THE LL/GDS AND THAT WAS A POLITICAL REALITY. DEBATE WAS CONFUSING BUT EFFECT WAS AT LEAST TEMPORARILY DAMAGING TO CHAIRMAN WHO WAS VIEWED AS BEING UNFAIR TO A SIGNIFICANT GROUP OF STATES. MOREOVER, COUPLED WITH PERU'S EXTREME REMARKS THIS MAY HAVE EFFECT OF POLARIZING COASTAL STATE GROUP (VARIOUSLY SAID TO HAVE 62 OR 87 OR 88 MEMBERS) VIS-A-VIS LL/GDS.

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PAGE 03 USUN N 03115 052027Z

3. PRECISE FORMULATION OF ITEM 1 IS STILL IN DOUBT. MEXICANS SUGGESTED ELIMINATING SPECIFIC REFERENCE TO DEFINITION AND LEGAL STATUS OF EEZ IN ITEM 1. CHAIRMAN'S WILLINGNESS TO ACCEPT THAT PROPOSAL AND PERUVIAN SUPPORT AND ATTACK ON RIGHTS OF LL/GDS CREATED SITUATION WHERE IT WAS APPARENT THAT SUBSEQUENT NEGOTIATIONS MIGHT LACK FOCUS ON KEY ISSUE OF STATUS OF

ECONOMIC ZONE. FURTHER, MEXICAN APPROACH WAS PREJUDICIAL TO OUR SUBSTANTIVE POSITION ON ISSUE. US (CLINGAN) INTERVENED WITH A STRONG INTERATION OF CRITICAL NATURE OF ISSUE AND POLITICAL REALITIES. COMMITTEE CLEARLY UNDERSTOOD US POINTS. MEETING ADJOURNED THEREAFTER.

4. SPAIN, CYPRUS, MALTA, AND PRC SPECIFICALLY RAISED ISSUE OF STRAITS AS IN NEED OF CONSIDERATION. PRC FURTHER RAISED AS IMPORTANT ISSUES FOR CONSIDERATION WARSHIPS IN THE TERRITORIAL SEA AND MILITARY ACTIVITIES AND INSTALLATIONS IN THE EEZ AND ON THE CONTINENTAL SHELF. HOWEVER, STRAITS AND DELIMINATION ISSUE MAY BE RAISED AGAIN, LATTER PERHAPS DURING DISCUSSION OF ITEM (4).

5. IN PRIVATE, AGUILAR ASSURED US DEL THAT HE WOULD NOT PERMIT PROCEDURAL DEVICES TO BE USED TO PREJUDICE US OPPORTUNITY TO ADVANCE ITS POSITION.  
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